

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Dezeray M. Roblero-Barrios,

Civil 07-4311 MJD/FLN

Plaintiff,

v.

O R D E R

Dave Pingry, Jack Erskine, et al.,

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated January 15, 2008, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed *in forma pauperis* [#2] is DENIED;
- and
2. This action is DISMISSED pursuant to 28 U.S.C. Section 1915(e)(2)(B)(ii).

DATED: February 12, 2008.
at Minneapolis, Minnesota

s/Michael J. Davis
JUDGE MICHAEL J. DAVIS
United States District Court